

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

SPECIAL CITY COUNCIL MEETING
COUNCIL CHAMBERS
MARCH 8, 2004
2:30 P.M.

The City Council met at the above place and date at approximately 2:41 p.m. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Jose Alexandro Lozano, John F. Cook, Paul J. Escobar, Vivian Rojas, and Anthony Cobos. Absent: Daniel S. Power. Late arrival: Robert A. Cushing, Jr. arrived at 2:51 p.m.

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AGENDA

1. Resolution that the Mayor and Council establish a Community Advisory Panel for the City Manager Hiring Process. The Advisory Panel will provide reports to the Mayor and Council as necessary or when requested by the Mayor and Council on areas of the search process that the Mayor and Council deem appropriate.
 2. Discussion on the process for selecting a national Search Firm.
 3. Discussion on updated timeline for City Manager transition and hiring process.
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Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to suspend the rules of electronic voting.

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RESOLUTION

WHEREAS, on February 7, 2004, the City held a City Charter Election and the citizens of El Paso approved amending the City Charter to adopt a "Council-Manager" form of government and enumerated the authority and duties of the City Manager; and,

WHEREAS, City Council is developing a process and procedures for qualifications, recruitment, and selection of a City Manager; and,

WHEREAS, City Council has determined that it would be beneficial if community input were received during the process of recruiting and selecting a City Manager,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That there is hereby created an advisory body to the Mayor and Council, a body to be known as the Community Advisory Panel for the City Manager Hiring Process and hereinafter referred to as the "Advisory Panel."

2. The Advisory Panel shall consist of nine members, of which one will be appointed by the Mayor and one will be appointed by each City Representative. The goal is to have the members represent various areas of the Community, such as financial services, medical services, legal services, faith based organizations, small business, chambers of commerce, construction services, higher education, non-profits, and the community at large. The members shall serve until the Mayor and City Council determine there is no longer a need for the Advisory Panel. Members shall be residents of the City. The members of the Advisory Panel shall be subject to Chapter 2.04 of the El Paso Municipal Code, as applicable. No member shall be an employee of the City of El Paso. Members shall receive no compensation and shall have advisory powers only.

3. The Advisory Panel shall select from among its members a Chair and a Vice-Chair, and shall adopt rules and regulations for the governing of its own proceedings to carry out the purposes for which the Advisory Panel was created, consistent with the Charter and Ordinances of the City. The Advisory Panel shall hold regular meetings, as needed or when requested by the Mayor and Council. The Advisory Panel shall keep a written record of its proceedings. A quorum shall consist of five (5) members. No final action shall be taken on any matter except pursuant to the majority vote of the members present. The Advisory Panel will provide regular reports to Mayor and Council.

4. The Chief Administrative Officer shall serve as Secretary to the Advisory Panel, without additional compensation and shall keep a record of all transactions of the Advisory Panel and provide the Advisory Panel with all information necessary to perform its duties.

5. The Advisory Panel shall perform the following duties:

a. Provide reports to the Mayor and Council as necessary or when requested by the Mayor and Council;

b. Advise the Mayor and City Council on areas of the search process that Mayor and Council deem appropriate for community assistance. Possible areas of input include advising on the community profile content, conducting community visitations and participating in finalist assessment.

Representative Cook requested that the Advisory Panel consist of no more than three to four members and that those members possess government or major corporation experience.

Representatives Escobar, Austin, Cobos, and Rojas made remarks as to the recommended membership size number of the Community Advisory Panel and community groups interested in participating in the selection process.

Ms. Terry A. Bond, Director of Human Resources, explained that other cities did not utilize community groups when selecting a City Manager but rather utilized a consulting company's recommendation.

Mr. Adrian Ocegueda, Executive Assistant to the Mayor, provided backup information (on file in the City Clerk's office) to the Council Members regarding professional search firms and made comments regarding the language on the RFP.

Mayor Joe Wardy commented on the scope of duties of the Community Advisory Panel.

Representative Cushing suggested revising the language pertaining to number 3 of the Resolution as follows:

to – “The Advisory Panel will provide reports to Mayor and Council as they “go along”.
from - “The Advisory Panel will provide report to Mayor and Council as needed or as requested by the Mayor and Council”.

Mr. Ocegueda suggested that the Council Members select a City Department or City staff member that would serve as the Citizens Advisory Panel secretary to coordinate the reports and provide minutes to the Council Members in a timely manner.

Mayor Wardy suggested that the Ms. Bond of the Human Resources Department serve as secretary to the Citizen’s Advisory Panel.

Representative Cook questioned utilizing an assessment center to hire a City Manager.

Ms. Bond determined that other cities did not utilize an assessment center when hiring a City Manager.

Mayor Wardy commented on “ranking’ prospective City Manager candidates.

Representative Cobos suggested that the number of individuals seating on the Citizens Advisory Panel be set at nine and added that he would be selecting an individual with CPA/financial experience and commented on selecting prospective Citizen Advisory Panel members with experience in other disciplines such as medical, Small Business, etc. He suggested striking the following language from number 2 of the Resolution:
“; however, no more than one member shall be appointed from any one area specified above”.

Representative Austin suggested revising the language pertaining to number 2 of the Resolution as:

to - “The goal is to have the members represent various areas of the Community . . . “
from - “The goal is to have the members represent specific areas of the Community . . . ”

Representative Cobos questioned Ms. Lupe Cuellar, Deputy Assistant City Attorney, regarding the necessity of an Ordinance.

Ms. Cuellar responded that Advisory Board appointments do not require an Ordinance and provided further legal advice.

Representative Cobos requested that the following language be removed from the Resolution:
“No member shall hold any other office of honor, trust, or profit in the government of the City during that member’s term of office. Members shall receive no compensation and shall have advisory powers only”.

Representative Austin requested that members appointed to the Citizens Advisory Panel not be City employees and revised the Resolution language to read “No member shall be an employee of the City of El Paso”.

Ms. Cuellar noted that in the event a City employee were selected, that individual could serve on the Citizen’s Advisory Panel as there was no such rule in the Civil Service Commission Rules and Regulations which prevented such action.

Representative Cushing moved that Mr. Jim Martinez, Chief Administrative Officer, serve as Secretary to the Advisory Panel and provided his justification. Representative Lozano seconded.

Ms. Richarda Duffy Momsen, City Clerk, read the Motion into the record as follows:
Motion made by Representative Cushing, seconded by Representative Lozano and unanimously carried to appoint Chief Administrative Officer, Jim Martinez, as the Secretary of the Community Advisory Panel for the City Manager Hiring Process.

AYES: Representatives Austin, Cushing, Lozano, Cook, Escobar, Rojas, and Cobos
NAYS: None
NOT PRESENT: Representative Power

Mr. Martinez noted that it would be an honor to serve as the Secretary to the Advisory Panel; however, questioned whether serving as the Secretary of the Community Advisory Panel would preclude him from applying for the City Manager position.

Ms. Lupe Cuellar, Deputy Assistant City Attorney, responded that there would be a conflict of interest.

Mr. Martinez recommended that someone else be appointed as the Secretary in case he decides to apply.

Representative Cushing suggested that Council would appoint someone else as Secretary at the time Mr. Martinez decided to apply for the position, if he does.

Motion made by Representative Austin, seconded by Representative Cobos and unanimously carried to approve the above Resolution, as revised.

- 1. Paragraph 2, line 1: Change "ten" members to "nine" members and Change "two" will be appointed by the Mayor to "one";
- 2. Paragraph 2, line 3: Change "specific areas of the community" to "various areas of the community"
- 3. Paragraph 2, line 2: Strike the following language "however, no more than one member shall be appointed from any one area specified above".
- 4. Paragraph 2, line 5: Delete the following sentence "No member shall hold any other office of honor, trust, or profit in the government of the City during that member's term of office. Members shall receive no compensation and shall have advisory powers only"; and replace with the following language "No member shall be an employee of the City of El Paso".
- 5. Paragraph 3, line 4: Change "six (6)" members to "five (5)" members.
- 6. Paragraph 3, line 6: Change "The Advisory Panel will provide reports to Mayor and Council as needed or as requested by the Mayor and Council" to "The Advisory Panel will provide regular reports to the Mayor and Council".

AYES: Representatives Austin, Cushing, Lozano, Cook, Escobar, Rojas, and Cobos
NAYS: None
NOT PRESENT: Representative Power

Mayor Joe Wardy requested that the Council Members submit their nominations to the Citizen's Advisory Panel by Friday, March 12, 2004.

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- 2. Discussion on the process for selection a national search firm.

Mr. Byron Johnson, Director of Purchasing, gave an update on the progress of selecting a national search firm and an expected timeline. He noted that one local firm had indicated a desire to be considered; however, such firm may not have the necessary qualifications. He stated that he would present proposals to the Council Members at the March 22, 2004, Special Council meeting.

Mr. Adrian Ocegueda, Executive Assistant to the Mayor, gave March 22, 2004 at 2:00 p.m. as the next Special City Council meeting. He added that the meeting could be extensive, as five firms had been allotted 15 minutes each to make their presentation, with a 10 minute Question and Answer session per each firm.

Representative Rojas noted that she would be out of town on March 22, 2004.

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3. Discussion on updated timeline for City Manager transition and hiring process.

Mr. Adrian Ocegueda, Executive Assistant to the Mayor, provided the Council Members the transition and hiring process timelines. He answered questions from and responded to comments made by the Council Members.

Mr. Byron Johnson, Director of Purchasing, noted that the number of search firms was to read "the top firms" in the event more than five firms submit a proposal.

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Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 3:31 p.m.

APPROVED AS TO CONTENT:



Richarda Duffy Momsen, City Clerk